

**FOR THE DISTRICT OF MARYLAND**

Plaintiff,

Case No: GJH-14-02662

Defendants.

## DECLARATION OF MARTIN FOURNIER

## Points and Authorities in Opposition to the Motions to Reconsider the Court's August 19, 2014

1. My name is Martin Fournier. I am currently employed by Sandoz Canada Inc. in

2. I have been Vice-President, Finance and MIS since 2009. I joined Sandoz in

2006 as Director, Information and Financial Accounting, and I have over 17 years of diverse

project management experience in the field of accounting and finance, mainly within businesses

in the manufacturing sector. Before joining Sandoz, I held various positions in accounting firms

at the auditing and consulting levels, most recently at Deloitte as Senior Director, Management

and Technology Consulting.



3. As set forth in the Declaration of Scott A. Smith, Sandoz has expended significant resources to secure its first-filer opportunity for dexmedetomidine injection. I make this declaration to provide additional facts in that regard.

4. To achieve first-filer status and to develop dexmedetomidine for the generic market involved a significant personnel investment on behalf of Sandoz. Over [REDACTED] people worked on this project. Based on information I have reviewed, Sandoz invested approximately [REDACTED] from initiation of the project to the filing of its ANDA, including regulatory and R&D efforts, and invested still more human capital thereafter -- approximately [REDACTED] were invested on this project at Sandoz from the April 2009 filing to this day.

I hereby declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: August 22, 2014  
Boucherville, Québec, Canada

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Martin Fournier